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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/800,533

03/15/2004

Vanessa I. Chinae

200315755-1

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7590

06/22/2006

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FORT COLLINS, CO 80527-2400

EXAMINER

JONES, DAMERON LEVEST

ART UNIT

PAPER NUMBER

1618

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/800533

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20060615

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Please see the attached notice regarding the non-responsive amendment filed 4/17/06.

 Jones 6/15/06
D. L. Jones
Primary Examiner
Art Unit: 1618

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NON-RESPONSIVE AMENDMENT

1. The reply filed on 4/17/06 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has not elected a species from within the elected Group III (claims 6-9). It is duly noted that in the response filed 4/17/06 Applicant asserts that it is confusing. In the office action mailed 3/9/06, Applicant was respectfully requested to identify a single disclosed species from within the elected group for search purposes. Thus, Applicant is once again respectfully requested to identify a species comprising an vehicle and an active pharmaceutical ingredient as set forth in Group III. Possible species, for example, include those set forth on page 4, in the table of paragraph [0040]. For example, in the table, the active pharmaceutical ingredient (API) and vehicle combination may be selected from one of the following: (1) prednisolone and DMSO; (2) prednisolone and methanol; (3) prednisolone and ethyl alcohol (ethanol); (4) prednisolone and benzyl alcohol; (5) prednisolone and isopropyl alcohol; (6) prednisolone and 2-P; (7) prednisolone and polyethylene glycol; (8) prednisolone and tetramethylene glycol; (9) digoxin and ethanol; (10) digoxin and 2-P; (11) digoxin and acetone; (12) digoxin and ethyl acetate; (13) digoxin and glycerine; (14) digoxin and polyethylene glycol; (15) digoxin and 1,5-pentanediol; (16) digoxin and ethylene glycol; (17) digoxin and water; (18) digoxin and DMSO; etc.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to


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avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. L. Jones whose telephone number is (571) 272-0617. The examiner can normally be reached on Mon.-Fri., 6:45 a.m. - 3:15 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Hartley can be reached on (571) 272-0616. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


D. L. Jones
Primary Examiner
Art Unit 1618

June 15, 2006